

Effective 5/13/2014

Renumbered 5/12/2015

10-2-126 Incorporation of town -- Public hearing on feasibility.

- (1) If, in accordance with Section 10-2-125, the county clerk certifies a petition for incorporation or an amended petition for incorporation, the county legislative body shall, at its next regular meeting after completion of the feasibility study, schedule a public hearing to:
 - (a) be held no later than 60 days after the day on which the feasibility study is completed; and
 - (b) consider, in accordance with Subsection (3)(b), the feasibility of incorporation for the proposed town.
- (2) The county legislative body shall give notice of the public hearing on the proposed incorporation by:
 - (a) posting notice of the public hearing on the county's Internet website, if the county has an Internet website;
 - (b)
 - (i) publishing notice of the public hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the proposed town; or
 - (ii) if there is no newspaper of general circulation within the proposed town, posting notice of the public hearing in at least five conspicuous public places within the proposed town; and
 - (c) publishing notice of the public hearing on the Utah Public Notice Website created in Section 63F-1-701.
- (3) At the public hearing scheduled in accordance with Subsection (1), the county legislative body shall:
 - (a)
 - (i) provide a copy of the feasibility study; and
 - (ii) present the results of the feasibility study to the public; and
 - (b) allow the public to:
 - (i) review the map or plat of the boundary of the proposed town;
 - (ii) ask questions and become informed about the proposed incorporation; and
 - (iii) express its views about the proposed incorporation, including their views about the boundary of the area proposed to be incorporated.
- (4) A county may not hold an election on the incorporation of a town in accordance with Section 10-2-127 if the results of the feasibility study show that the five-year projected revenues under Subsection 10-2-125(7)(b)(v) exceed the five-year projected costs under Subsection 10-2-125(7)(b)(iv) by more than 10%.